

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CYNTHIA HORN, et al.

Plaintiffs,

Civil Action No.
4:13-cv-13630

vs.

HON. MARK A. GOLDSMITH

ADAM R SCHUMAKER, et al.,

Defendants.

**ORDER DENYING WITHOUT PREJUDICE DEFENDANT'S MOTION TO DISMISS
(DKT. 14) AS MOOT**

On October 2, 2013, Defendant Oakland Community College filed a motion to dismiss Plaintiffs' second amended complaint. Mot. to Dismiss (Dkt. 14). The parties subsequently submitted a joint stipulation allowing Plaintiffs to amend their second amended complaint, which Plaintiffs had previously filed with this Court. See 11/20/2013 Stipulation (Dkt. 26). The parties also stipulated that Defendants — including Defendant Oakland Community College — shall have until December 11, 2013 to answer or otherwise respond to Plaintiffs' third amended complaint. Id. The Court granted the stipulated order on November 20, 2013. Id.

In light of the parties' stipulation and the third amended complaint, the Court denies without prejudice Defendant Oakland Community College's motion to dismiss as moot (Dkt. 14). Correspondingly, the Court cancels the motion hearing currently set for December 12, 2013. As stipulated by the parties, Defendants, including Defendant Oakland Community College, shall have until December 11, 2013 to answer or otherwise respond to Plaintiffs' third amended complaint.

SO ORDERED.

Dated: November 20, 2013
Flint, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on November 20, 2013.

s/Deborah J. Goltz
DEBORAH J. GOLTZ
Case Manager